

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## PATENTS

Appl. No.: 09/746,556 )  
Applicant: Dennis B. Gilbertson, et al. )  
Filed: December 22, 2000 )  
TC/A.U.: 1761 )  
Docket No. 30,750-03US/10303645 )  
Customer No. 38824 )

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Sir:

Cargill, Incorporated, having a principal place of business at P.O. Box 5624, Minneapolis, Minnesota 55440-5624 and holding the entire right, title and interest to the above-identified application by virtue of assignment from the inventor recorded in the Patent and Trademark Office at Reel 011748 and Frame 0992 to Cargill, Incorporated does hereby disclaim the terminal part of any patent granted on U.S. Patent Application S.N. 09/746,556 which would extend beyond the expiration date of U.S. Patent Number 6,589,584, and hereby agrees that any patent so granted on U.S. Patent Application S.N. 09/746,556 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Number 6,589,584, this agreement to run with any patent granted on the U.S. Patent Application S.N. 09/746,556 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Cargill, Incorporated does not disclaim the terminal part of any patent granted on the U.S. Patent Application S.N. 09/746,556 that would extend to the expiration date of the full statutory term of U.S. Patent Number 6,589,584 in the event that U.S. Patent Number 6,589,584 expires for failure to pay a maintenance fee, is held unenforceable, is

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found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned has reviewed a copy of the assignments pertaining to the chain of title of both the U.S. Patent Application S.N. 09/746,556 and U.S. Patent Number 6,589,584, the U.S. Patent Application S.N. 09/746,556 being continued from U.S. Patent Application S.N. 09/293,661 from which U.S. Patent Number 6,589,584 was issued, and, to the best of the knowledge and belief of the undersigned, title is in Cargill, Incorporated

The undersigned is an attorney of record.

Respectfully submitted,  
Cargill, Inc., through its attorneys,

Dated: Oct. 8, 2003

By Aleya R. Champlin

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8:

I hereby certify that this paper and any papers referred to herein are being sent via facsimile to Commissioner for Patents telephone number 703-872-9306 on October 8, 2003.

Brenda Gunderson: Brenda Gunderson

Signature